

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA**

**UNITED STATES OF AMERICA,**

**Plaintiff,**

**VS.**

**MOHAMMAD NAZMUL  
HAQUE, RICK KELLEY, and  
JOEY MACKE,**

## Defendants.

**8:21CR61**

## ORDER

This matter is before the court on defendant, Rick Kelley's unopposed Motion to Continue Trial [73]. Plea negotiations are ongoing. Counsel for co-defendants Mohammad Nazmul Haque and Joey Macke do not object to the continuance. For good cause shown,

**IT IS ORDERED** that the Motion to Continue Trial [73] is granted, as follows:

1. The jury trial, **for all three defendants**, now set for June 20, 2023, is continued to **September 18, 2023**.
2. In accordance with 18 U.S.C. § 3161(h)(7)(A), the court finds that the ends of justice will be served by granting this continuance and outweigh the interests of the public and the defendants in a speedy trial. Any additional time arising as a result of the granting of this motion, that is, the time between **today's date** and **September 18, 2023**, shall be deemed excludable time in any computation of time under the requirement of the Speedy Trial Act. Failure to grant a continuance would deny continuity of counsel and counsel the reasonable time necessary for effective preparation, taking into account the exercise of due diligence. 18 U.S.C. § 3161(h)(6), (7)(A) & (B)(iv).
3. **No further continuances will be granted without requesting a hearing before the undersigned magistrate judge.**

**DATED: June 6, 2023.**

**BY THE COURT:**

**s/ Michael D. Nelson**  
**United States Magistrate Judge**